

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re:

JOHN F. VIVENZIO,

Debtor(s).

Chapter 13

Case No. 8-17-74202-AST

AMENDED CHAPTER 13 PLAN

1) The future earnings of the debtor are submitted to the supervision and control of the Trustee and the Debtor(s) shall pay to the Trustee for a total of 60 months, the sum of:

\$2,500 commencing August 11, 2017 through and including July 11, 2018 for a period of twelve (12) months

\$3,500 commencing August 11, 2018 through and including July 11, 2019 for a period of twelve (12) months

\$4,500 commencing August 11, 2019 through and including July 11, 2020 for a period of twelve (12) months

\$7,288.60 commencing August 11, 2019 through and including July 11, 2020 for a period of twenty-four (24) months

2) From the payments so received, the Trustee shall make disbursements as follows:

(a) Full payment is deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507. NONE

(b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

FANNIE MAE, Loan Number xxxxxx to be paid pre-petition arrears in the sum of \$300,926.46 plus 0% interest over the life of the plan.

(c) Subsequent to distribution to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows: Pro-rata distribution to all timely filed claims of not less than 100% (percent).

3) The Debtor requested Mortgage Loan Modification for his primary residence located at 153 Quaker Path, Setauket, New York and awaiting for a decision. During the pendency of the Loan Modification Debtor shall make post-petition mortgage payments in the amount of \$1,776.00 directly to the Chapter 13 Trustee.

4) The Debtor shall make all Post-Petition payments including but not limited to vehicle payments, real estate taxes and income taxes outside the plan.

a) **Citibank, N.A. PO BOX 6500, Sioux Fall, SD 57117, Loan No.: xxxxxx3675 in the amount of \$250.00 monthly.**

5) All Lease Agreements are hereby assumed, unless specifically rejected as follows:
Other Party: NONE Description of Contract or Lease: NONE

6) During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the Debtor shall provide the Trustee with signed copies of filed Federal & State Tax Returns for each year no later than April 15 of the year following the tax period, commencing with the filing of 2017 tax return. Indicated tax refunds are to be paid to the Trustee upon receipt, however, no later than June 15th of the year in which tax returns are filed.

7) Title to the Debtor's property shall revert in the Debtor upon completion of the Plan,' unless otherwise provided in the Order confirming the Plan. Throughout the term of the Plan, Debtor will not incur post-petition debt over \$1,500.00 without written consent of the Chapter 13 Trustee and the Court.

Dated: October 16, 2017

/s/ John F. Vivenzio

JOHN F. VIVENZIO

/s/ Elliot S. Schlissel

ELLIOT S. SCHLISSEL

Attorney for Debtor

479 Merrick Road

Lynbrook, NY 11563

516-561-6645

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Chapter 13

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In Re:

JOHN F. VIVENZIO,

Case No.:

AFFIDAVIT OF MAILING

Debtors.

----- X

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, ANGELA YADGAROFF, being duly sworn, say: I am not a party to the action, am over 18 years of age and reside in Queens County, New York. On October 16, 2017 I served the within

AMENDED CHAPTER 13 PLAN

by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

United States Trustee Office
Long Island Federal Courthouse
560 Federal Plaza Room 560
Central Islip, NY 11722 4437

Astoria Federal Bank
120 South Franklin Avenue
Valley Stream, NY 11580

BMW Financial Services
PO BOX 3608
Dublin, OH 43016

Capital One Bank (USA) NA
PO BOXZ 30285
Salt Lake City, UT 84130

Citibank, NA
POBOX 6500
Sioux Falls, SD 57117

Citibank, NA
POBOX 6500
Sioux Falls, SD 57117

Citibank, NA

POBOX 6500
Sioux Falls, SD 57117

Enhanced Recovery Company
8014 Bayberry Road
Jacksonville, FL 32256-7412

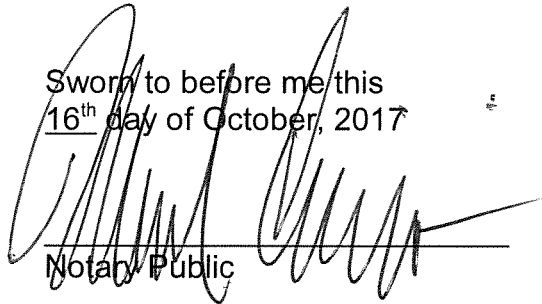
Fannie Mae
c/o Seterus
758 Rainbow Road
Windsor, CT 06095

T-Mobile
PO BOX 37380
Albuquerque, NM 87176-7380

Town Of Brookhaven
One Independance Hill
Farmingville, NY 11738

Verizon New York Inc.
140 West Street
New York, NY 10007

Dated: October 16, 2017


ANGELA YADGAROFF
Sworn to before me this
16th day of October, 2017

Notary Public

MICHAEL J. CIARAVINO
Notary Public, State of New York
No. 02CI6038950
Qualified in Queens County
Commission Expires April 17, 2018 